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Human Rights Committee

Concluding observations on the sixth periodic report of Germany

Addendum

Information received from Germany on follow-up to the concluding observations*

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* The present document is being issued without formal editing.

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1. With regard to Paragraph 11, Germany informs the Committee that the situation concerning transfer of asylum seekers to Greece remains unchanged.

2. With regard to Paragraph 15 a), the following measures have been taken to improve awareness of the staff working in care facilities and residential homes of all legislative provisions relating to restraints:

3. Both projects mentioned in Nr. 15 of the Government's reply to the list of issues in advance of the presentation of the State Report – Werdenfelser Weg and ReduFix – are actively offering training seminars on how to avoid restraints as for as possible. The Werdenfelser Weg project has had a considerable impact. Having started as a regional project in Bavaria, it is now active throughout Germany and gives guidance to those dealing with the issue on the ground. An impression of a seminar aimed at reducing recourse to medication can be found under the following link: https://www.youtube.com/watch?v=GGBwN4B7J40.

4. The ReduFix project has by now produced a number of instructors ("multiplicators") who offer in-house trainings in institutions interested in reducing the recourse to restraints. On its website, the project offers handbooks and guiding material as well as contact points for trainings (weblink: http://www.redufix.de/cms/website.php?id=/de/materialien.html).

5. The Federal Ministry for family, senior citizens, women and youth has funded a thematic report on "Prevention of Violence in care". The Report was published in June 2015 by the Foundation for Quality in Care (ZQP). The Foundation has also set up a Website dedicated to the issue with information for those concerned (http://pflege-gewalt.de/index.html).

6. All these materials and training seminars aim at raising awareness not only of the legislative provisions mentioned but also of the general necessity of avoiding restraints as much as possible.

7. The German Judges Academy also continues to offer seminars on the topic.

8. In response to the Committee's further request under Paragraph 15 b), Germany wishes to underline that the evaluators of the Medical Services of the health insurance funds (MDK) did not find any situations which would have given rise to criminal investigations, as set out already in the statement dated 15 July 2014:

> "There were no cases in which the MDK evaluators had the impression that persons requiring case were restricted in their rights against their will or by use of force. If this had been the case, the MDK would have immediately informed the competent authorities so that they could exercise their supervisory obligation and, if applicable, commence measures under civil and/or criminal law."